

Message Text

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C O N F I D E N T I A L STATE 141268

E.O. 11652: GDS

TAGS: SHUM, SG

SUBJECT: HUMAN RIGHTS: SENEGAL ACTION PLAN

REF: STATE 139160

1. THE GEOGRAPHIC BUREAUS HAVE BEEN TASKED TO PREPARE HUMAN RIGHTS EVALUATION REPORTS INCLUDING AN ASSESSMENT OF THE CURRENT CONDITION OF HUMAN RIGHTS IN EACH COUNTRY AND THE PROPOSED OBJECTIVES AND RECOMMENDATIONS FOR IMPROVING THOSE CONDITIONS.

2. THIS CABLE TRANSMITS THE DESK'S DRAFT REPORT FOR YOUR COMMENTS. YOUR RESPONSE IS REQUESTED BY JUNE 28 SO THAT THE BUREAU CAN MEET THE SUBMISSION DATE OF JULY 1. SLUG FOR AF DISTRIBUTION ONLY.

3. THE INFORMATION CONTAINED IN THE COUNTRY EVALUATION WILL BE CLASSIFIED IN ACCORDANCE WITH EXECUTIVE ORDER 11652. REPORTS WILL BE USED AS SOURCE MATERIAL FOR THE PREPARATION
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OF ANNUAL HUMAN RIGHTS REPORTS ON ALL COUNTRIES WHICH ARE RECIPIENTS OF US SECURITY ASSISTANCE, AND WILL BE SUBMITTED TO THE DEPARTMENT'S HUMAN RIGHTS COORDINATING COMMITTEE, CHAIRED BY THE DEPUTY SECRETARY.

4. A. CONDITION OF HUMAN RIGHTS IN SENEGAL

(1) RESPECT FOR THE INTEGRITY OF THE PERSON.

THE INTEGRITY OF THE PERSON, IN PARTICULAR THE RIGHT TO LIFE, LIBERTY, AND SECURITY OF PERSON, IS RESPECTED IN SENEGAL.

TORTURE, CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT DO NOT APPEAR TO EXIST. THERE HAVE BEEN NO INCIDENTS OF ARBITRARY ARREST OR IMPRISONMENT IN RECENT YEARS. ACCESS IS READILY AVAILABLE TO TRIBUNALS FOR REMEDIES IN CASES INVOLVING VIOLATIONS OF FUNDAMENTAL RIGHTS. THE RIGHT TO A FAIR PUBLIC HEARING AND PUBLIC TRIAL IS GENERALLY OBSERVED.

THE HOME IS CONSIDERED INVIOABLE, AND A SEARCH REQUIRES A WARRANT WHICH MAY ONLY BE OBTAINED UNDER CONDITIONS SPECIFIED BY LAW.

(2) RESPECT FOR CIVIL AND POLITICAL LIBERTIES.

ALTHOUGH SENEGAL HAS A DE FACTO ONE-PARTY REGIME, THE GOVERNMENT'S AVOWED COMMITMENT IS TO BUILD A PLURALIST, DEMOCRATIC SOCIETY, AND OPPOSITION POLITICAL PARTIES ARE ACTIVE AND OPERATE WITH RELATIVE FREEDOM. FREEDOM OF THOUGHT, RELIGION, AND ASSEMBLY ARE GENERALLY OBSERVED. FREEDOM OF MOVEMENT WITHIN SENEGAL IS UNRESTRICTED, AND THERE ARE NO CONTROLS ON FOREIGN TRAVEL OR EMIGRATION. THE FREEDOM OF ALL TO PARTICIPATE IN THE POLITICAL PROCESS IS GENERALLY OBSERVED, ALTHOUGH CONFIDENTIAL

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LIMITED TO THE GOVERNING PARTY AND THE TWO LEGALLY ENDORSED OPPOSITION PARTIES.

(3) RECENT TRENDS IN GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF BASIC NEEDS FOR FOOD, SHELTER, HEALTH CARE, AND EDUCATION.

THE DECEMBER, 1976, EXTRAORDINARY SESSION OF SENEGAL'S GOVERNING SOCIALIST PARTY, AMONG OTHER ACTIONS, ADOPTED A RESOLUTION AIMED AT RAISING PER CAPITA INCOME SUBSTANTIALLY BY THE YEAR 2001, PROMOTING MODERN AGRICULTURE, ACCELERATING THE DEVELOPMENT OF THE STATE-DIRECTED SOCIAL SERVICES SECTOR, AND PROMOTING EMPLOYMENT--PARTICULARLY NON-SALARIED EMPLOYMENT IN THE AGRICULTURAL SECTOR, THE MOST IMPORTANT IN SENEGAL'S ECONOMY. THE BASIC MODEL IS FOR A "SOCIALIST AND DEMOCRATIC SOCIETY" INCORPORATING SCIENTIFIC SOCIALISM AND THE "VALUES OF OUR NEGRO-AFRICAN HUMANISM." FAMILY PLANNING AND REDUCTION OF THE POPULATION EXODUS TO THE

CITIES AND OF INEQUALITIES BETWEEN THE REGIONS WERE ALSO HIGHLIGHTED.

CORRUPTION IS NOT A MAJOR PROBLEM IN SENEGAL IN TERMS OF DIVERTING SIGNIFICANT RESOURCES TOWARD THE NATION'S ELITES AND AWAY FROM THE MAJORITY OF THE POPULATION.

(4) THE GOVERNMENT'S RESPONSIBILITY FOR THE FOREGOING HUMAN RIGHTS RECORD.

SENEGAL TAKES PRIDE IN ITS HUMAN RIGHTS RECORD AND ASPIRATIONS, AND REGARDS ITSELF (AND IS GENERALLY SO REGARDED BY THE REST OF AFRICA) AS ONE OF THE FOREMOST AFRICAN SPOKESMEN IN SUPPORT OF HUMAN RIGHTS. THE TOP LEADERSHIP WARMLY ENDORSES THE NEW USG HUMAN RIGHTS EMPHASIS, AND WAS SOMEWHAT DISAPPOINTED, GIVEN THE CIRCUMSTANCES, THAT IT WAS NOT GIVEN A HIGHER MARK IN A CONFIDENTIAL

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RECENTLY PUBLISHED USG HUMAN RIGHTS REPORT IN CONNECTION WITH SECURITY ASSISTANCE (WHICH INCLUDED A FREEDOM HOUSE REFERENCE TO SENEGAL AS "PARTLY FREE." THERE ARE NO HUMAN RIGHTS VIOLATIONS BEING JUSTIFIED ON SECURITY OR OTHER GROUNDS.

(5) WILLINGNESS AND PAST RECORD REGARDING INDEPENDENT, OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS.

NO PROPOSALS FOR OUTSIDE INVESTIGATION OF ALLEGED HUMAN RIGHTS VIOLATIONS HAVE BEEN MADE WITH REGARD TO SENEGAL. THE GOVERNMENT OF SENEGAL APPEARS WILLING TO ACCEPT ANY SUCH PROPOSALS, PROVIDED THAT LEGITIMATE CONCERNS ARE BEING EXPRESSED.

5. B. ANALYSIS AND RECOMMENDATIONS

(1) LEGITIMATE OBJECTIVES OVER THE NEXT THREE, SIX, TWELVE MONTHS IN RELATION TO IMPROVING CONDITIONS IN SENEGAL WITH RESPECT TO CATEGORIES A 1, 2, AND 3 ABOVE.

SENEGAL TAKES PRIDE IN ITS ENCOURAGEMENT OF A MULTI-PARTY POLITICAL SYSTEM, ITS PARDONING OF THOSE CONVICTED OF POLITICAL OFFENSES, ITS GROWING FREEDOM OF THE PRESS, AND STRENGTHENED JUDICIAL SYSTEM. OUR OBJECTIVES IN THE NEAR AND MID-TERM FUTURE SHOULD BE TO ENCOURAGE SENEGAL TO CONTINUE IN THIS COURSE, ALREADY ONE OF THE MOST SENSITIVE AND ADMIRABLE IN AFRICA. WE SHOULD CONTINUE OUR PRESENT PRACTICE OF REPORTING USG HUMAN RIGHTS CONCERNS AND PROPOSALS FULLY AND DIRECTLY

TO THE HIGHEST LEVELS OF THE GOVERNMENT OF SENEGAL.

(2) PRINCIPAL REACTIONS.

THE GOVERNMENT OF SENEGAL HAS DEVELOPED A SENSE OF
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PARTNERSHIP WITH THE USG IN OUR CAMPAIGN TO PROMOTE
RESPECT FOR HUMAN RIGHTS. OUR EFFORTS HAVE BEEN WELL
RECEIVED BY VIRTUALLY ALL ELEMENTS--GOVERNMENT, PRIVATE,
INTELLECTUAL, AND GENERAL PUBLIC--IN SENEGAL. WHILE
REALIZING THAT IT HAS ROOM FOR IMPROVEMENT, SENEGAL IS
CONVINCED THAT THE NEW US INITIATIVES ON HUMAN RIGHTS
ARE IN ACCORD WITH SENEGAL'S OWN ASSESSMENT OF THE
DIGNITY OF MAN AND THE RIGHTS OF THE INDIVIDUAL.
SENEGAL VIEWS THE RECENT RE-ELECTION OF ITS SUPREME
COURT CHIEF JUSTICE M'BAYE TO THE UN HUMAN RIGHTS
COMMISSION AS AN EXPRESSION OF CONFIDENCE BY THE INTER-
NATIONAL COMMUNITY IN ITS ACTIONS AND INTENTIONS.

IN FEBRUARY OF THIS YEAR SENEGAL ANNOUNCED ITS
INTENT TO RECOMMIT ITSELF TO THE DEFENSE OF HUMAN
RIGHTS, AND ITS DECISION TO ADHERE TO THE UN COVENANT
ON CIVIL AND POLITICAL RIGHTS. IT THUS WARMLY WELCOMED
PRESIDENT CARTER'S MARCH 17 UN SPEECH LOOKING TOWARD US
RATIFICATION OF THE COVENANT.

IN RESPONSE TO DELIVERY OF SECRETARY VANCE'S APRIL
30 HUMAN RIGHTS ADDRESS, PRIME MINISTER DIOUF SENT A
LETTER TO OUR AMBASSADOR STATING THAT "ALL MANKIND WILL
JOIN, I HOPE, WITH THE GOVERNMENT OF YOUR COUNTRY TO
REALIZE THE OBJECTIVES WHICH IT FIXES FOR THIS HUMAN
RIGHTS POLICY." SENEGALESE CHIEF JUSTICE M'BAYE, OF
THE UN HUMAN RIGHTS COMMISSION, REMARKED TO OUR AMBASSADOR
THAT THE SECRETARY'S ADDRESS "STRIKES A VERY RESPONSIVE
CHORD."

(3) IMPLICATIONS.

THE REACTIONS IN PARAGRAPH 2 ABOVE INDICATE THAT
FORTHRIGHT USG POLICIES AIMED AT PROMOTING RESPECT FOR
HUMAN RIGHTS WILL A) RECEIVE THE FULL SUPPORT OF THE
GOVERNMENT OF SENEGAL, AND B) ENCOURAGE SENEGAL TO
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CONTINUE ITS OWN ACTIONS TO INSURE THAT THE PROMOTION

OF HUMAN RIGHTS AND RESPECT FOR THE INDIVIDUAL RECEIVE
PRACTICAL AS WELL AS FORMAL GOVERNMENTAL ENDORSEMENT.
SENEGAL CLEARLY WANTS TO COOPERATE AND SUPPORT OUR
HUMAN RIGHTS OBJECTIVES.

(4) A. NOT APPLICABLE.

B. SENEGAL'S GOVERNMENT WOULD STRONGLY SUPPORT US EFFORTS
TO PROMOTE HUMAN RIGHTS THROUGH GOVERNMENTAL AND/OR
NON-GOVERNMENTAL ORGANIZATIONS.

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